

Stuart S. Pressly V-48636

CSP-LAC Facility A1-223

P.O. Box 8457

Lancaster, CA 93539

NUNC PRO TUNC

JUN 11 2008

FILED

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UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

CLERK US DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

BY RM DEPUTY

Stuart S. Pressly
Petitioner

Civil No. 07-2315 J(JMA)

Application for Further
Enlargement of Time;
Declaration of Stuart
S. Pressly in support
thereof

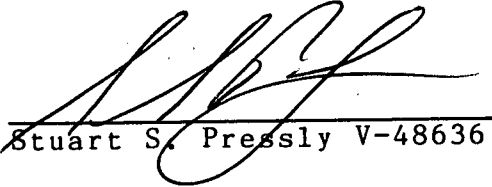
F.W. Haws (Warden)
Respondent

Petitioner respectfully applies to this court for a further thirty-day enlargement of time, to and including August 6, 2008 by which to file a Traverse to the answer for writ of habeas Corpus.

CR

This application is for good cause as set fourth in the attached declaration.

JUNE 5, 2008


Stuart S. Pressly V-48636

DECLARATION OF STUART S. PRESSLY IN SUPPORT OF
APPLICATION FOR ENLARGEMENT OF TIME;

I, Stuart S Pressly, hereby declare:

1) I am Stuart Scott Pressly the petitioner on the petition for writ of habeas corpus in Stuart S. Pressly V. F.B Haws, CV 07-3215 J (JMA). I am the responsible party to which a response or traverse to the response Answer which is due on and including June 6, 2008. I respectfully request on my behalf a thirty-day extension of time to file and serve the traverse based on the following.

2) Respondant filed an answer to the above named petition for writ of habeas corpus on May 6, 2008, the day the respondent mailed a copy of the answer to petitioner. I received the copy late in the evening on May 14, 2008.

3) I was unable to gain access to the Law library until I was approved as a Priority Law library this took until May 19, 2008.

4) I am employed as a teacher aid at Lancaster State prison and I work Monday through Friday and I am unable to gain access to the law library during the weekdays. The only time I can access the library Sundays as it is closed on Saturdays.

5) I have only been allowed access to the library on one Sunday due to shortages of Staff to open up the yard and allow access to the law library (the law library is located on the yard) Without the yard being open we cannot access it.

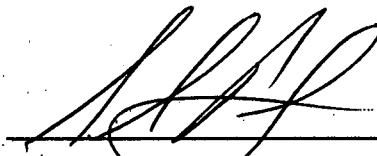
6) Based on the above, I respectfully request a thirty-day enlargement time to file and serve the traverse to the answer to the petition for writ of habeas corpus.

7) Due to the fact that I am incarcerated and acting pro-per I have not been able to contact Deputy Attorney General Stacy Tyler "acting respondent" to ascertain weather she has any objections to this request as I can only use the U.S mail to corospond with the respondent.

8) I declare under penalty of perjury under the laws of the United Strates of America the the foreOgoing is true and correct.

Executed on June 5, 2008 at Lancaster State prison , Lancaster CA, 93539.

JUNE 5 2008


Stuart S. Pressly V-48636

PROOF OF SERVICE BY MAIL

(CCP §§1013(a), 2015.5; 28 U.S.C. §1746)

I, Stuart S. Pressly, hereby declare that I am over the age of 18, I am the petitioner in the above-entitled cause of action, and my legal mailing address CSP/LAC – A 1-223, P.O. BOX 8457, Lancaster, CA 93539-8457.

On June 5, 2008, I delegated to prison officials the task of mailing, via the institution's internal mail system (*Houston v. Lack*, 487 US 266 [101 L.Ed.2d 245; 108 S.Ct. 2379] (1988)), the below entitled legal document(s):

Application for Enlargement of Time.

by placing said documents in a properly addressed and sealed envelope, with postage fully prepaid, in the United States Mail, deposited in the manner provided by CSP/LAC, and addressed as follows: Dept. Of Justice Office of The Attorney General
Att Stacy Tyler

110 West "A" Street Suite 1100
San Diego CA, 92101

I further declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge. Executed this 5 day of JUNE ~~2008~~ 2008 at California State Prison – Los Angeles County.

